

EXHIBIT E-1

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12 *Attorneys for Plaintiff*
13 *SPACE DATA CORPORATION*

14 UNITED STATES DISTRICT COURT
15 FOR THE NORTHERN DISTRICT OF CALIFORNIA
16 SAN JOSE DIVISION

17 SPACE DATA CORPORATION,

18 Plaintiff,

19 v.

20 ALPHABET INC., GOOGLE LLC, and
21 LOON, LLC

22 Defendants.
23
24
25
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Case No. 5:16-cv-03260-BLF (NC)

**SPACE DATA CORPORATION'S
[PROPOSED] VERDICT FORM**

Pre-Trial Conf: August 2, 2019

Time: 9:00 a.m.

Courtroom: 3, Fifth Floor

Judge: Hon. Beth Labson Freeman

1 When answering the following questions and filling out this Special Verdict Form,
2 please follow the directions provided throughout the form. Your answer to each question
3 must be unanimous. Some of the questions contain legal terms that are defined and
4 explained in detail in the Jury Instructions. Please refer to the Jury Instructions if you are
5 unsure about the meaning or usage of any legal term that appears in the questions below. In
6 answering this Special Verdict Form, please refer to the claimed Trade Secrets that are
7 referenced in Trial Exhibit 3389.
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1 We, the jury, unanimously agree to the answers to the following questions and return
2 them under the instructions of this Court as our verdict in this case.

3
4 **SECTION I: BREACH OF CONTRACT ("NDA")**

5 1. Did Space Data prove that Space Data and Google entered into a contract (the
6 NDA)?

7 _____ Yes _____ No

8 If your answer to Question 1 is yes, then go to question 2.

9 If your answer to Question 1 is no, answer no further questions, and skip ahead to
10 Question 7.

11
12 2. Did Space Data prove that Space Data did all, or substantially all, of the
13 significant things that the NDA required Space Data to do?

14 _____ Yes _____ No

15
16 3. Did Space Data prove that Defendants breached the NDA?

17 _____ Yes _____ No

18
19 4. Was Space Data harmed or were Defendants unjustly enriched by Defendants'
20 breach of the NDA?

21 _____ Yes _____ No

22
23 5. What are Space Data's breach of contract damages?

24 \$ _____

25
26 6. Do you elect to award prejudgment interest to Space Data?

27 _____ Yes _____ No

SECTION II: MISAPPROPRIATION OF TRADE SECRETS**A. Misappropriation Claim Pursuant to the California Uniform Trade Secrets Act (CUTSA).**

7. Separate as to each claimed Trade Secret, do you find that Defendants misappropriated Space Data's Trade Secrets in violation of the California Trade Secrets Act (CUTSA). Answer "Yes" or "No."

WIND DATA _____

THERMAL MANAGEMENT _____

NETWORK OPERATIONS CONTROL OR "NOC" _____

FINANCIAL INFORMATION _____

If you have answered "Yes" in Question No. 7 for at least one claimed Trade Secret, continue to the next three questions. Otherwise, if you have answered "No" for all four Claimed Trade Secrets for Question 1, then skip ahead to Question No. 11.

8. Only with respect to any claimed Trade Secret for which you answered "Yes" in the previous question, state whether or not Space Data has proven that Defendants were unjustly enriched and that Defendants' misappropriation was a substantial factor in bringing about such unjust enrichment. If you answer "Yes," then further state the dollar amount by which Space Data has proven that Defendants were unjustly enriched. If you answer "No," then leave the dollar amount column blank:

	UNJUST ENRICHMENT/ SUBSTANTIAL FACTOR?	DOLLAR AMOUNT
WIND DATA	_____	_____
THERMAL MANAGEMENT	_____	_____
NETWORK OPERATIONS CONTROL OR "NOC"	_____	_____
FINANCIAL INFORMATION	_____	_____

9. Has Space Data proven that Defendants acted willfully and maliciously with respect to any misappropriation found by you? If “Yes,” state the dollar amount of any exemplary damages you award.

YES	NO	AMOUNT
_____	_____	\$ _____

10. Do you elect to award prejudgment interest to Space Data?

YES	NO
_____	_____

B. Misappropriation Claim Pursuant to the Federal Defend Trade Secrets Act (DTSA).

11. Separate as to each claimed Trade Secret, do you find that Defendants misappropriated Space Data’s trade secrets in violation of the Federal Defend Trade Secrets Act (“DTSA”). Answer “Yes” or “No.”

WIND DATA	_____
THERMAL MANAGEMENT	_____
NETWORK OPERATIONS CONTROL OR “NOC”	_____
FINANCIAL INFORMATION	_____

If you have answered “Yes” in Question No. 11 for at least one claimed Trade Secret, continue to the next three questions. Otherwise, if you have answered “No” for all four Claimed Trade Secrets for Question 11, then you are done with this Verdict Form.

12. Only with respect to any claimed Trade Secret for which you answered “Yes” in the previous question, state whether or not Space Data has proven that Defendants were unjustly enriched and that Defendants’ misappropriation was a substantial factor in bringing about such unjust enrichment. If you answer “Yes,” then further state the dollar amount by which Space Data has proven that Defendants were unjustly enriched. If you answer “No,”

then leave the dollar amount column blank:

	UNJUST ENRICHMENT/ SUBSTANTIAL FACTOR?	DOLLAR AMOUNT
WIND DATA	_____	_____
THERMAL MANAGEMENT	_____	_____
NETWORK OPERATIONS CONTROL OR "NOC"	_____	_____
FINANCIAL INFORMATION	_____	_____

13. Has Space Data proven that Defendants acted willfully and maliciously with respect to any misappropriation found by you? If "Yes," state the dollar amount of any exemplary damages you award.

YES	NO	AMOUNT
_____	_____	\$ _____

14. Do you elect to award prejudgment interest to Space Data?

YES	NO
_____	_____

You have now reached the end of the verdict form and should review it to ensure it accurately reflects your unanimous determinations. The Presiding Juror should then sign and date the verdict form in the spaces below and notify the Marshall that you have reached a verdict. The Presiding Juror should retain possession of the verdict form and bring it when the jury is brought back into the courtroom.

Dated: _____, 2019

By: _____
Presiding Juror

1 Dated: July 9, 2019

Respectfully submitted,

2
3 /s/ Spencer Hosie

4 Spencer Hosie

5 Attorneys for Plaintiff and Counterclaim Defendant
6 *SPACE DATA CORPORATION*
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